

**REMARKS**

Applicants hereby reply to the Office Action mailed on April 25, 2005, within the shortened three-month period for reply. Claims 1-17 were pending in the application and the Examiner rejects claims 1-17. Reconsideration is respectfully requested. No new matter is added by this Reply.

The Examiner rejects claims 1-17 under 35 USC § 103(a) as being unpatentable over Truitt et al., U.S. Patent Application No. 2003/0200182 ("Truitt") in view of Roberts et al., U.S. Patent No. 6,295,551 ("Roberts"). Applicants respectfully traverse these rejections.

In general, Truitt discloses a system and method for providing a user with an option to process a payment using a telephone account instead of using a credit or debit card. That is, Truitt discloses using an electronic terminal to request to pay using a telephone account. Truitt is directed towards authorizing a payment using a telephone account and billing a transaction to the telephone account. In other words, Truitt is not directed towards processing the transaction as "existing or conventional customer management systems may be used to process the transaction" (paragraph [0066]).

Thus, with respect to a poller for substantially real-time queuing of a billing transaction, the "broadly interpreted" poller of Truitt merely confirms the validity of line identification database (LIDB) codes and whether a regional account office (RAO) database is billable, and performs address verification in real time (paragraph [0121]). That is, the "poller" of Truitt merely ascertains whether or not a telephone number can be billed for a user's goods and/or services. Thus, Truitt fails to teach or disclose "a poller configured for substantially real-time queuing of a billing transaction file," as similarly recited in independent claims 1 and 9.

The Examiner states that Truitt discloses a "broadly interpreted" splitter as the electronic terminal 24. However, the "splitters" of Truitt are "typically personal computers (PCs)" (paragraph [0024]) that a purchaser uses to "enter[] financial card details, e.g., credit card, debit card, or any other financial instrument details, which are then communicated...to a vendor" (paragraph [0029]). That is, the splitter of Truitt is a conduit of transaction information and does not disclose "splitting transaction files comprised of multiple transaction requests," as similarly recited in independent claims 1 and 9.

The Examiner additionally states that Truitt discloses a merger "broadly interpreted as the customer management system." Yet Truitt's "merger" merely discloses verification of a

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telephone number and conversion of that number into "a conventional or industry standard format" for typical authorization (paragraphs [0068-0078]). Thus, the merger of Truitt includes "modifying the credit card record to include the telephone number." As such, Truitt does not disclose "a merger configured to reconstruct said subset into said billing transaction file," as similarly recited in independent claims 1 and 9.

The Examiner correctly states that "Truitt et al., fails to teach a queuing." Therefore, the Examiner cites Roberts to disclose this element. However, Roberts merely teaches a queue that "contains one or more call requests from the user computers" (col. 5, lines 21-22). Thus, Truitt in view of Roberts only discloses providing a user with an option to process a payment using a telephone account and processing each such request on a first come first serve basis. Thus, Truitt in view of Roberts fails to teach or disclose "a poller configured for substantially real-time queuing of a billing transaction file," as similarly recited in independent claims 1 and 9.

Claims 2-8 and 10-17 each depend from independent claims 1 and 9, respectively, and contain all of the elements thereof. Therefore, Applicants respectfully submit claims 2-8 and 10-17 are differentiated from the cited references at least for the same reasons as set forth above, in addition to their own respective features.

Applicants respectfully submit that the pending claims are in condition for allowance. The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. 19-2814. Applicants invite the Examiner to telephone the undersigned if the Examiner has any questions regarding this Reply or the present application in general. A duplicate copy of this request is enclosed for your use.

Respectfully submitted,

Dated: July 12, 2005

By: 

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